

REMARKS

Applicants respectfully request the Examiner to reconsider the present application in view of the foregoing amendments to the claims and the following remarks.

Status of the Claims

Upon entry of the present amendment, claims 1, 5 and 7 will be pending in the application. Claims 2-4 and 6 have been cancelled herein. Claims 1, 5 and 7 have been amended herein. Support for the amendments in claim 1 can be found in claims 2-4 as originally filed. Claims 5 and 7 were amended to clarify the present invention. No new matter has been added. Based upon the above considerations, entry of the present amendment is respectfully requested.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

Claims Objections

The Examiner has objected to claims 2, 4 and 5 for various informalities. Claim 2 has been objected to for reciting “a compound represented by formula” rather than “a compound represented by the formula.” Claim 4 has been objected to since it is allegedly unclear as to what the term “polyhydric alcohol” is referring. Although these claims have been cancelled herein, Applicants respectfully submit that these issues have been overcome in amended claim 1, which incorporates the subject matter of claims 2 and 4.

Claim 5 has been objected to for reciting “a diglycidyl ether of ethylene glycol or polyethylene glycol” rather than “a diglycidyl ether of either ethylene glycol or polyethylene glycol.” Furthermore, claim 5 is objected to for reciting “triethanol amine” rather than “triethanolamine.” Applicants have amended claim 5 in accordance with the Examiner’s suggestions. Thus, Applicants respectfully submit that the amendments overcome the outstanding objection and that the objection be removed.

Issues under 35 U.S.C. § 101

The Examiner has rejected claim 7 under 35 U.S.C. § 101 for being an improper “use” claim. Applicants have amended claim 7 to recite a step involved in the process. Thus, Applicants respectfully submit that the amendment overcomes the outstanding rejection and that the rejection be removed.

Issues under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 1, 4 and 7 under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner alleges that claim 1 is unclear as to whether the detergent composition is “obtained by reacting” or if the crosslinked product is “obtained by reacting.” Applicants have amended claim 1 to clarify this issue.

With respect to claim 4, the Examiner asserts that “polyhydric alcohol” lacks antecedent basis. Although this claim has been cancelled herein, Applicants respectfully submit that this issue has been overcome in amended claim 1, which incorporates the subject matter of claim 4, for the reasons given above.

Regarding claim 7, the Examiner states that the claim is an improper “use” claim. Applicants have amended claim 7 as described above.

In view of the above, Applicants respectfully submit that the amendments overcome the outstanding rejections and that the rejections be removed.

Issues under 35 U.S.C. § 102(b)

The Examiner has rejected claims 1-7 under 35 U.S.C. § 102(b) as being anticipated by Boeckh et al. ‘223 (WO 01/09223). Claims 2-4 and 6 are cancelled herein, which renders the rejection as to these claims moot. With respect to the remaining claims, Applicants respectfully assert that Boeckh et al. ‘223 do not disclose each and every aspect of independent claim 1. Therefore, Boeckh et al. ‘223 do not anticipate or render obvious claim 1.

The zwitterionic polyamine of Boeckh et al. ‘223 does not disclose the crosslinked product as defined in amended claim 1. More specifically, the zwitterionic polyamine of Boeckh et al. ‘223 comprises a crosslinked polyamine backbone which contains at least two groups

having the formula (I) of Boeckh et al. '223 (pertaining to an ethylene oxide unit, a propylene oxide unit, a butylene oxide unit, and a tetrahydrofuran unit) or the formula (II) of Boeckh et al. '223 (pertaining to e.g. sulfonated units), or contain one group of the formula (I) or the formula (II) and one group of the radicals as indicated in claim 1 of Boeckh et al. '223. The crosslinked polyamine backbone may further contain up to 100% of the nitrogen atoms quaternized. As further indicated in Boeckh et al. '223, the preferred crosslinked polyamine of Boeckh et al. '223 are alkoxyated, quaternized, and subsequently sulfonated (page 8, line 17 to page 9, line 2).

In stark contrast, the crosslinked product of amended claim 1 of the present application is not alkoxyated, quaternized, and sulfonated. Thus, the chemical structure of the crosslinked product of amended claim 1 differs from the zwitterionic polyamine of Boeckh et al. '223.

The illustrating Examples of Boeckh et al. '223 provide further demonstration. Example 6 of Boeckh et al. '223 pertains to the reaction product of diethanolamine and butanediolbisglycidylether (see Table on page 16 of Boeckh et al. '223). However, the reaction product differs from the crosslinked product of amended claim 1 since the reaction product of the Example does not include a polyhydric alcohol polyglycidyl ether as defined by formula (III) of amended claim 1. More specifically, the butanediolbisglycidylether of Example 6 of Boeckh et al. '223 includes a C4 alkylene group while the polyhydric alcohol polyglycidyl ether as defined by amended claim 1 is limited to include either a C2 or a C3 alkylene group.

Furthermore, the reaction product of Example 6 is merely an intermediate product and is, thus, not itself used as an additive in detergent composition. Prior to being included as an additive in a detergent composition, the intermediate product is ethoxylated, quaternized, and subsequently sulfonated (page 16, lines 24-40).

Thus, Example 6 of Boeckh et al. '223 pertains to a product which differs from amended claim 1 of the present application in that the product does not include a polyhydric alcohol polyglycidyl ether as defined by amended claim 1 (i.e. including at the most a C3 alkylene group). Moreover, the product of Boeckh et al. '223 is ethoxylated, quaternized, and subsequently sulfonated. Therefore, the product of Boeckh et al. '223 is structurally different from the crosslinked product as defined by amended claim 1.

In addition and in stark contrast to the present invention, Boeckh et al. '223 show a compound having an anionic group, such as a sulfonic acid group or carboxyl group, for X or a quaternary amine, being cationic, obtained by quaternization of an amine group.

In view of the above, Applicants respectfully submit that the present invention is novel over Boeckh et al. '223. As such, the method of releasing soil from clothes with a composition comprising the crosslinked product of the present invention (claim 7) is also novel over Boeckh et al. '223. Thus, withdrawal of the rejection is respectfully requested.

CONCLUSION

A full and complete response has been made to all issues as cited in the Office Action. Applicants have taken substantial steps in efforts to advance prosecution of the present application. Thus, Applicants respectfully request that a timely Notice of Allowance issue for the present case clearly indicating that each of claims 1, 5 and 7 are allowed and patentable under the provisions of title 35 of the United States Code.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad M. Rink, Reg. No. 58,258, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

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